

HOUSE BILL REPORT

HB 1128

As Passed Legislature

Title: An act relating to the definition of the term "conviction" in chapter 77.15 RCW.

Brief Description: Modifying the definition of "conviction" for chapter 77.15 RCW.

Sponsors: By Representative Nixon.

Brief History:

Committee Activity:

Natural Resources, Ecology & Parks: 1/27/05, 2/4/05 [DP].

Floor Activity:

Passed House: 3/3/05, 97-0.

Senate Amended.

Passed Senate: 4/15/05, 47-0.

House Concurred.

Passed House: 4/19/05, 98-0.

Passed Legislature.

Brief Summary of Bill

- Requires the Department of Fish and Wildlife to suspend a person's recreational hunting and fishing privileges after certain infractions are committed.

HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS

Majority Report: Do pass. Signed by 10 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake, Dickerson, Eickmeyer, Hunt, Orcutt and Williams.

Minority Report: Without recommendation. Signed by 1 member: Representative DeBolt.

Staff: Jason Callahan (786-7117).

Background:

The Department of Fish and Wildlife (Department) is required to suspend the recreational hunting and fishing privileges of an individual for two years if that person is convicted of any three hunting or fishing violations within the past ten years. The requirement to suspend privileges only applies when the person in question is convicted of a criminal act. Violations that are punishable as a civil infraction are not counted towards the three required convictions that lead to a suspension.

Summary of Bill:

The Department is required to suspend a person's recreational hunting and fishing privileges for two years if the person is either convicted of a hunting or fishing offense, has an uncontested notice of infraction, fails to appear at a hearing to contest an infraction, or is found to have committed an infraction three times within the previous 10 years. Infractions can only count towards a suspension of privileges if the infraction was punishable as a crime on the effective date of the act and was later decriminalized or was a violation of certain infractions that existed on the effective date of the act.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill gives the Fish and Wildlife Commission the authority to decriminalize certain recreational hunting and fishing violations, and still allow multiple violators have their hunting and fishing rights suspended. Decriminalizing certain fishing violations allows the Department to ticket fishers unknowingly violating the rules without charging the person with a crime. It does not decriminalize commercial fishers, since those in the business should be fully aware of the rules.

The intent of this bill has been expressed in proposed legislation in past session, but this version has been worked out with the regulated community, the Department, and other stakeholders.

Testimony Against: None.

Persons Testifying: Representative Nixon, prime sponsor; and Bruce Bjork, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.